

FILED

Case 1:08-cv-00302

Document 30

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AUGUST 8, 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

MJC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RECEIVED

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MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Mr. Michael Young

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

Case No: 08-C-0302
(To be supplied by the Clerk of this Court)

Thomas J. Dart

Mr. Loizon

L. Williams

Mr. Cintron

Mr. Dominguez

Ms. Martinez

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

Judge: Virginia M. Kendall

Magistrate Judge Denlow

CHECK ONE ONLY:

Amended

✓

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Mr. Michael Young

Additional Defendants in this action.

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

Case No: 08-C-0302
(To be supplied by the Clerk of this Court)

Ms. Harms

A. Villarreal

Mr. Villarreal

Judge: Virginia M. Kendall

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY: Amended

☒

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
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BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.

I. Plaintiff(s):

- A. Name: Mr. Michael Young
- B. List all aliases: Longstreet (Mark Young)
- C. Prisoner identification number: 20070004908
- D. Place of present confinement: Cook County Jail
- E. Address: 2700 South California Ave. Division 10 Chicago IL 60608

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Thomas J. Dart
 Title: Cook County Sheriff
 Place of Employment: 50 W. Washington Street/Suite 704 Chicago IL 60608
- B. Defendant: Sargent Loizon #916
 Title: Cook County Jail Sargent
 Place of Employment: 2700 South California Ave, Chicago, IL 60608
- C. Defendant: Mr. Cintron
 Title: Cook County Jail Sargent
 Place of Employment: 2700 South California Ave, Chicago, IL 60608

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

D. Defendant: L. Williams #5739

Title: Cook County Jail officer

Place of Employment: 2700 S California Ave. Chicago, IL 60608

E. Defendant: Mr. Dominguez #143

Title: Cook County Jail Lieutenant

Place of Employment: 2700 S California Ave. Chicago, IL 60608

F. Defendant: Ms. Martinez #178

Title: Cook County Jail Lieutenant

Place of Employment: 2700 S California Ave, Chicago IL 60608

G. Defendant: Ms. Harms #8113

Title: Cook County Jail officer

Place of Employment: 2700 S California Ave, Chicago, IL 60608

H. Defendant: Mr. A. Villarreal
~~Villarreal~~

Title: Cook County Jail officer

Place of Employment: 2700 S California Ave, Chicago, IL 60608

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: NONE
- B. Approximate date of filing lawsuit: N/A
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: NONE
- D. List all defendants: NONE
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): N/A
- F. Name of judge to whom case was assigned: N/A
- G. Basic claim made: N/A
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): N/A
- I. Approximate date of disposition: N/A

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

III. Exhaustion of Administrative Remedies

You are required to exhaust all your available administrative remedies before bringing an action in federal court.

A. Is there a grievance procedure available at your institution?

YES ☒ NO () If there is no grievance procedure, skip to F.

B. Have you filed a grievance concerning the facts in this complaint?

YES ☒ NO ()

C. If your answer is YES:

1. What steps did you take?

I wrote out A grievance dated August 15, 2007, and gave it to the
Division 10 social worker Ms. L. Butler who assigned it a control
number 2007X1664

2. What was the result?

The matter was referred to the internal Affairs who opened
An investigation under NO. 0700330. And my rights that was
violated was not remedied.

3. If the grievance was not resolved to your satisfaction, did you appeal? What was the result (if there was no procedure for appeal, so state.)

D. If your answer is NO, explain why not:

E. Is the grievance procedure now completed? YES ☒ NO ()

F. If there is no grievance procedure in the institution, did you complain to authorities? YES () NO ()

G. If your answer is YES:

1. What steps did you take?

2. What was the result?

H. If your answer is NO, explain why not:

*

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

(Count ONE)

ON July 28, 2007 Defendant L. Williams, Mr. Cintron Mr. Loizon and Mr. Dominguez, did on this day while acting under color of state law in their individual capacity as employees of Cook County Department of Corrections working for Sheriff Thomas J. Dart. Did on this date conspired to violate plaintiff Mr. Michael Young fourth Amendment constitutional rights to be secured in his person against unreasonable use of force when these defendants shook the plaintiff cell down with the use of the employees disguised as Emergency response Team (E.R.T.) to confiscate and destroy Plaintiff criminal court documents, pictures and letters to provoke Plaintiff into A Physical Altercation Resulting in these defendants And with the use of the Emergency Response Team using Oak sticks Helmets, Shields, Leather gloves and Mace to beat the plaintiff up while defendant Ms. Harris held the video camera who deliberately turned the camera away from the beatings so that it would not be recorded that all the pre-trial detainees received. Plaintiff was struck with sticks and stomped with feet and sprayed with chemical Mace. Officer ~~Watterson~~ ^{A. Watterson} kicked Plaintiff in face and head several times while mind cuffed on floor.

(Count Two)

ON Aug 2007, Defendant L. Williams and Defendant Ms. Martinez, did on this day while Acting under color of State Law as Cook County Department of Correction Employees working for Sheriff Thomas J. Dart in their individual capacity, did on this day conspired to cover up the physical Altercation that took place with plaintiff, Mr. Michael Young when they fabricated A disciplinary report Alleging the plaintiff refused to lock-up in order to give Justification to Defendants Mr. Cintron, Mr. Loizon and Mr. Dominguez and the Emergency response Team to beat plaintiff up and discipline him by giving him 30 days in disciplinary confinement without any Evidence to support the finding, in violation of plaintiff fourteenth Amendment right to procedural Due Process.

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Plaintiff Demand \$100,000⁰⁰ in Punitive Damages
Plaintiff Demand \$200⁰⁰ a day for each day served in
Disciplinary Confinement.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 23 day of July, 20 08

Michael Young

(Signature of plaintiff or plaintiffs)

Michael Young

(Print name)

20070004908

(I.D. Number)

Cook County Jail / Division 10
2700 S. California Ave. Chicago, IL 60608

(Address)